

Staindrop Parish Council

BYELAWS FOR STANGARTH LANE PLAYGROUND

PART 1 - GENERAL

1. General Interpretation

In these byelaws:

“the Council” means Parish Council of Staindrop;

“the ground” means the ground listed in Schedule 1;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

- 1.1. the unladen weight of which does not exceed 150 kilograms,
- 1.2. the width of which does not exceed 0.85 metres, and
- 1.3. which has been constructed or adapted for use for the carriage of a person suffering from a disability and used solely by such a person.

2. Application

These byelaws apply to all of the ground listed in Schedule 1.

PART 2 - PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

3. Protection of structures and plants

3.1. No person shall without reasonable excuse remove from or displace within the ground:

- 3.1.1. any barrier, post, seat or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or
- 3.1.2. any stone, soil or turf or the whole or any part of any plant, shrub or tree.

3.2. No person shall walk on or ride, drive or station a horse or any vehicle over:

- 3.2.1. flower bed, shrub or plant;
- 3.2.2. any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
- 3.2.3. any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

4. Unauthorised erection of structures

No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

5. Climbing

No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

6. Grazing

No person shall without the consent of the Council turn out or permit any animal for which they are responsible to graze in the ground.

7. Protection of wildlife

No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.

8. Gates

8.1. No person shall leave open any gate to which this byelaw applies and which that person has opened or caused to be opened.

8.2. Byelaw 9 (1) applies to any gate to which is attached, or near to which is displayed, a conspicuous notice stating that leaving the gate open is prohibited.

9. Camping

No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping.

10. Fires

10.1. No person shall light a fire; or place, throw or drop a lighted match or any other thing likely to cause a fire.

10.2. Byelaw 11 (1) shall not apply to the lighting of a fire at any event for which the Council has given permission that fires may be lit.

11. Missiles

No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.

PART 3 - HORSES, CYCLES AND VEHICLES

12. Interpretation of Part 3

In this Part:

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that purpose to be indicated by notices placed in a conspicuous position;

“motor cycle” means a mechanically-propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

13. Horses

13.1. No person shall ride a horse except in the exercise of a lawful right or privilege.

13.2. Where horse-riding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

14. Cycling

No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles.

15. Motor vehicles

- 15.1. No person shall without reasonable excuse bring into or drive in the ground a motor cycle, motor vehicle or trailer except in any part of the ground where there is a right of way.
- 15.2. It shall not be an offence under this byelaw to bring into or drive in the ground a motor vehicle or trailer for the sole purpose of undertaking maintenance or works in relation to that ground.

PART 4 - PLAY AREAS, GAMES AND SPORTS

16. Interpretation of Part 4

In this Part:

“ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the vehicle.

17. Children’s play areas

No person aged 14 years or over shall enter or remain in the ground listed in Schedule 1 unless in charge of a child under the age of 14 years.

18. Children’s play apparatus

No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

19. Ball games

No person shall play ball games in the ground except in connection with an event organised by or held with the consent of the Council.

20. Cricket

No person shall throw or strike a cricket ball with a bat except in connection with an event organised by or held with the consent of the Council

21. Archery

No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.

22. Field sports

No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Council.

23. Golf

No person shall drive, chip or pitch a hard golf ball.

PART 5 - OTHER REGULATED ACTIVITIES

24. Provision of services

No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.

25. Excessive noise

25.1. No person shall, after being requested to desist by any other person in the ground, make or permit to be made any noise is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground by:

25.1.1. shouting or singing;

25.1.2. playing on a musical instrument; or

25.1.3. by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.

25.2. Byelaw 25.1 does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

26. Public shows and performances

No person shall without the consent of the Council hold or take part in any public show or performance.

27. Kites

No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.

28. Metal detectors

No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

PART 6 - MISCELLANEOUS

29. Obstruction

29.1. No person shall obstruct:

29.1.1. any officer of the Council in the proper execution of his duties;

29.1.2. any person carrying out an act which is necessary to the proper execution of any contract with the Council; or

29.1.3. any other person in the proper use of the ground, or behave so as to give reasonable grounds for annoyance to other persons in the ground.

30. Savings

30.1. It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.

30.2. Nothing in or done under these byelaws shall in any respect prejudice injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

31. Removal of offenders

Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

32. Penalty

Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

33. Revocation

The byelaws made by the Parish Council of Staindrop on 25th January 1973 and confirmed by the Home Office on 1st July 1973 relating to the ground are hereby revoked under Section 236B(2) of the Local Government Act 1972.

SCHEDULES

SCHEDULE 1

GROUND TO WHICH BYELAWS APPLY GENERALLY

The grounds referred to in byelaw 2 are:

The area of land in the Village of Staindrop in the County of Durham which lies to the rear of Scarth Memorial Village Hall and the Scout Hut, east of Stangarth Lane and which has been set aside specifically as a Children's Playground and identified by a notice displayed to that effect.